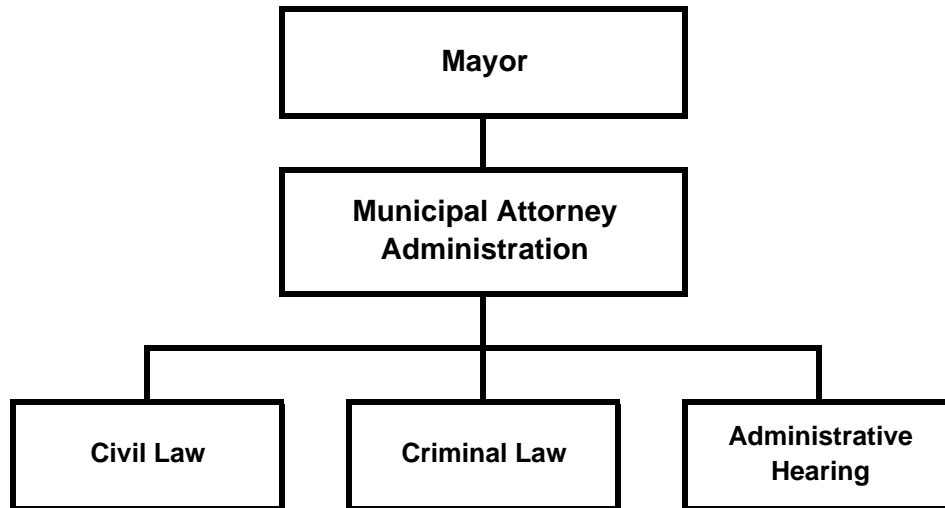


Municipal Attorney



Municipal Attorney's Office

Description

The legal department serves as chief legal counsel to the MOA-including the Mayor, the Assembly, and all executive departments, agencies, authorities, boards and commissions. The department supervises and controls all civil and criminal legal services performed by the department and contract counsel for MOA.

Department Services/Divisions

- Civil Law: Provide legal counsel, support, and advice on specific legislation, the Municipal Code, Charter, legislative procedures, the responsibilities and authority of the Municipality, represent the Municipality and its officials and employees in civil litigation, and create and review legal documents.
- Criminal Law (Prosecution): Prosecute misdemeanor and traffic offenses under the Anchorage Municipal Code. Includes aiding police investigation, evaluating and filing charges, conducting criminal trials, enforcing conditions of probation, motions and appeals, and assisting victims.
- Administrative Hearing Office (AHO): Provide for the adjudication of certain Municipal Code violations and conduct hearings on certain appeals of administrative actions of Municipal Agencies within the scope of its jurisdiction established by the code.

Department Goals that Contribute to Achieving the Mayor's Vision:

Vision:  **Exemplary Municipal Operations**

Municipal Attorney

- Maintain high quality, efficient production of legal services through low turnover rate of professional staff, and successful completion by attorneys of subject matter training/continuing legal education

Municipal Attorney Department Summary

	2013 Actuals	2014 Revised	2015 Approved	15 v 14 % Chg
Direct Cost by Division				
ATY Administration	1,507,530	1,806,208	1,663,453	<7.90%>
ATY Administrative Hearing	200,661	224,500	218,321	<2.75%>
ATY Civil Law	2,479,472	2,640,058	2,546,635	<3.54%>
ATY Criminal	2,991,232	3,384,736	3,453,221	2.02%
Direct Cost Total	7,178,896	8,055,502	7,881,630	<2.16%>
Intragovernmental Charges				
Charges by/to Other Departments	(5,155,994)	(5,829,173)	(5,819,241)	<0.17%>
Function Cost Total	2,022,902	2,226,329	2,062,389	<7.36%>
Program Generated Revenue	(936,640)	(955,463)	(993,582)	3.99%
Net Cost Total	1,086,262	1,270,866	1,068,807	<15.90%>
Direct Cost by Category				
Salaries and Benefits	5,669,066	5,901,348	5,939,386	0.64%
Supplies	19,738	27,470	27,470	-
Travel	3,357	10,000	10,000	-
Contractual/OtherServices	1,486,734	2,116,684	1,904,774	<10.01%>
Debt Service	-	-	-	-
Direct Cost Total	7,178,896	8,055,502	7,881,630	<2.16%>
Position Summary as Budgeted				
Full-Time	52	54	53	
Part-Time	2	-	-	
Position Total	54	54	53	

Municipal Attorney Reconciliation from 2014 Revised Budget to 2015 Approved Budget

	Direct Costs	Positions		
		FT	PT	Seas/T
2014 Revised Budget	8,055,502	53	-	-
2014 One-Time Requirements				
- Remove ONE-TIME funding for eDiscovery, part of JusticeWeb software package.	(266,050)	-	-	-
- Remove ONE-TIME funding for professional services for legal representation, advice and analysis regarding utility service areas, generation, consolidation of services, and new litigation representation services.	(175,000)	-	-	-
Changes in Existing Programs/Funding for 2015				
- Salary and benefits adjustments	12,066	-	-	-
2015 Continuation Level	7,626,518	53	-	-
2015 One-Time Requirements				
- ONE-TIME - eDiscovery, part of JusticeWeb software package.	210,000	-	-	-
2015 Proposed Budget Changes				
- Reduce Legal Secretary III position to Legal Clerk II to reflect additional efficiencies anticipated with eDiscovery.	(21,981)	-	-	-
- Reduce fleet budget.	(860)	-	-	-
2015 S-1 Version Budget Changes				
- S-1: Add for Charter Project.	20,000	-	-	-
- S-1: Executive raises - add 1.5%	47,953	-	-	-
2015 Approved Budget	7,881,630	53	-	-

Municipal Attorney Division Summary

ATY Administration

(Fund Center # 115479, 115400, 115450)

	2013 Actuals	2014 Revised	2015 Approved	15 v 14 % Chg
Direct Cost by Category				
Salaries and Benefits	294,187	296,868	309,113	4.12%
Supplies	1,081	1,080	1,080	-
Travel	-	-	-	
Contractual/Other Services	1,212,262	1,508,260	1,353,260	<10.28%>
Manageable Direct Cost Total	1,507,530	1,806,208	1,663,453	<7.90%>
Debt Service	-	-	-	
Direct Cost Total	1,507,530	1,806,208	1,663,453	<7.90%>
Revenue by Fund				
Fund 101000 - Areawide General	195,161	280,000	280,000	-
Revenue Total	195,161	280,000	280,000	-

Positions as Budgeted

	2013 Revised		2014 Revised		2015 Approved	
	Full Time	Part Time	Full Time	Part Time	Full Time	Part Time
Municipal Attorney	1	-	1	-	1	-
Special Admin Assistant II	1	-	1	-	1	-
Positions as Budgeted Total	2	-	2	-	2	-

Municipal Attorney**Division Detail****ATY Administration**

(Fund Center # 115479, 115400, 115450)

	2013 Actuals	2014 Revised	2015 Approved	15 v 14 % Chg
Direct Cost by Category				
Salaries and Benefits	294,187	296,868	309,113	4.12%
Supplies	1,081	1,080	1,080	-
Travel	-	-	-	-
Contractual/Other Services	1,212,262	1,508,260	1,353,260	<10.28%>
Manageable Direct Cost Total	1,507,530	1,806,208	1,663,453	<7.90%>
Debt Service	-	-	-	-
Direct Cost Total	1,507,530	1,806,208	1,663,453	<7.90%>
Intra-Governmental Charges				
Charges by/to Other Departments	(222,963)	(350,347)	(358,845)	2.43%
Program Generated Revenue				
406620 - Reimbursed Cost-ER	-	280,000	-	-
406625 - Rmb Cost-NonGrntFund	195,161	-	280,000	-
Program Generated Revenue Total	195,161	280,000	280,000	-
Net Cost				
Manageable Direct Cost	1,507,530	1,806,208	1,663,453	<7.90%>
Debt Service	-	-	-	-
Charges by/to Other Departments	(222,963)	(350,347)	(358,845)	2.43%
Program Generated Revenue	(195,161)	(280,000)	(280,000)	-
Net Cost Total	1,089,405	1,175,861	1,024,608	<12.86%>

**Municipal Attorney
Division Summary
ATY Administrative Hearing
(Fund Center # 115300)**

	2013 Actuals	2014 Revised	2015 Approved	15 v 14 % Chg
Direct Cost by Category				
Salaries and Benefits	200,661	224,500	218,321	<2.75%>
Travel	-	-	-	
Manageable Direct Cost Total	200,661	224,500	218,321	<2.75%>
Debt Service	-	-	-	
Direct Cost Total	200,661	224,500	218,321	<2.75%>

Revenue by Fund				
Fund 101000 - Areawide General	1,858	-	1,000	
Revenue Total	1,858	-	1,000	

Positions as Budgeted

	2013 Revised		2014 Revised		2015 Approved	
	<u>Full Time</u>	<u>Part Time</u>	<u>Full Time</u>	<u>Part Time</u>	<u>Full Time</u>	<u>Part Time</u>
Legal Secretary II	1	-	1	-	1	-
Municipal Attorney II	1	-	1	-	1	-
Positions as Budgeted Total	2	-	2	-	2	-

Municipal Attorney
Division Detail
ATY Administrative Hearing
(Fund Center # 115300)

	2013 Actuals	2014 Revised	2015 Approved	15 v 14 % Chg
Direct Cost by Category				
Salaries and Benefits	200,661	224,500	218,321	<2.75%>
Travel	-	-	-	-
Manageable Direct Cost Total	200,661	224,500	218,321	<2.75%>
Debt Service	-	-	-	-
Direct Cost Total	200,661	224,500	218,321	<2.75%>
Intra-Governmental Charges				
Charges by/to Other Departments	(198,443)	(224,499)	(215,646)	<3.94%>
Program Generated Revenue				
406625 - Rmb Cost-NonGrntFund	40	-	-	-
407050 - Oth Fines & Forf	1,818	-	1,000	-
Program Generated Revenue Total	1,858	-	1,000	-
Net Cost				
Manageable Direct Cost	200,661	224,500	218,321	<2.75%>
Debt Service	-	-	-	-
Charges by/to Other Departments	(198,443)	(224,499)	(215,646)	<3.94%>
Program Generated Revenue	(1,858)	-	(1,000)	-
Net Cost Total	360	1	1,675	184059.14%

Municipal Attorney Division Summary

ATY Civil Law

(Fund Center # 115100)

	2013 Actuals	2014 Revised	2015 Approved	15 v 14 % Chg
Direct Cost by Category				
Salaries and Benefits	2,381,005	2,472,398	2,378,975	<3.78%>
Supplies	6,771	10,930	10,930	-
Travel	3,357	10,000	10,000	-
Contractual/Other Services	88,338	146,730	146,730	-
Manageable Direct Cost Total	2,479,472	2,640,058	2,546,635	<3.54%>
Debt Service	-	-	-	-
Direct Cost Total	2,479,472	2,640,058	2,546,635	<3.54%>
Revenue by Fund				
Fund 101000 - Areawide General	13,530	-	-	-
Revenue Total	13,530	-	-	-

Positions as Budgeted

	2013 Revised		2014 Revised		2015 Approved	
	Full Time	Part Time	Full Time	Part Time	Full Time	Part Time
Deputy Municipal Attorney	2	-	2	-	1	-
Legal Secretary II	3	-	3	-	2	-
Legal Secretary III	3	-	3	-	3	-
Municipal Attorney I	3	-	3	-	2	-
Municipal Attorney II	7	-	7	-	9	-
Special Admin Assistant I	1	-	1	-	1	-
Special Admin Assistant II	1	-	1	-	1	-
Positions as Budgeted Total	20	-	20	-	19	-

Municipal Attorney
Division Detail
ATY Civil Law
(Fund Center # 115100)

	2013 Actuals	2014 Revised	2015 Approved	15 v 14 % Chg
Direct Cost by Category				
Salaries and Benefits	2,381,005	2,472,398	2,378,975	<3.78%>
Supplies	6,771	10,930	10,930	-
Travel	3,357	10,000	10,000	-
Contractual/Other Services	88,338	146,730	146,730	-
Manageable Direct Cost Total	2,479,472	2,640,058	2,546,635	<3.54%>
Debt Service	-	-	-	-
Direct Cost Total	2,479,472	2,640,058	2,546,635	<3.54%>
Intra-Governmental Charges				
Charges by/to Other Departments	(2,465,768)	(2,640,056)	(2,523,872)	<4.40%>
Program Generated Revenue				
406625 - Rmb Cost-NonGrntFund	13,530	-	-	-
Program Generated Revenue Total	13,530	-	-	-
Net Cost				
Manageable Direct Cost	2,479,472	2,640,058	2,546,635	<3.54%>
Debt Service	-	-	-	-
Charges by/to Other Departments	(2,465,768)	(2,640,056)	(2,523,872)	<4.40%>
Program Generated Revenue	(13,530)	-	-	-
Net Cost Total	173	2	22,763	1005624.77%

Municipal Attorney Division Summary

ATY Criminal

(Fund Center # 115200)

	2013 Actuals	2014 Revised	2015 Approved	15 v 14 % Chg
Direct Cost by Category				
Salaries and Benefits	2,793,213	2,907,582	3,032,977	4.31%
Supplies	11,886	15,460	15,460	-
Travel	-	-	-	
Contractual/Other Services	186,134	461,694	404,784	<12.33%>
Manageable Direct Cost Total	2,991,232	3,384,736	3,453,221	2.02%
Debt Service	-	-	-	
Direct Cost Total	2,991,232	3,384,736	3,453,221	2.02%
Revenue by Fund				
Fund 101000 - Areawide General	726,090	675,463	712,582	5.50%
Revenue Total	726,090	675,463	712,582	5.50%

Positions as Budgeted

	2013 Revised		2014 Revised		2015 Approved	
	Full Time	Part Time	Full Time	Part Time	Full Time	Part Time
Administrative Officer	-	-	-	-	1	-
Deputy Municipal Attorney	1	-	1	-	1	-
Legal Clerk II	6	-	6	-	6	-
Legal Secretary I	1	-	1	-	1	-
Legal Secretary II	5	-	5	-	6	-
Legal Secretary III	2	-	2	-	1	-
Municipal Attorney I	9	-	9	-	9	-
Municipal Attorney II	3	2	5	-	5	-
Senior Admin Officer	1	-	1	-	-	-
Positions as Budgeted Total	28	2	30	-	30	-

Municipal Attorney**Division Detail****ATY Criminal**

(Fund Center # 115200)

	2013 Actuals	2014 Revised	2015 Approved	15 v 14 % Chg
Direct Cost by Category				
Salaries and Benefits	2,793,213	2,907,582	3,032,977	4.31%
Supplies	11,886	15,460	15,460	-
Travel	-	-	-	-
Contractual/Other Services	186,134	461,694	404,784	<12.33%>
Manageable Direct Cost Total	2,991,232	3,384,736	3,453,221	2.02%
Debt Service	-	-	-	-
Direct Cost Total	2,991,232	3,384,736	3,453,221	2.02%
Intra-Governmental Charges				
Charges by/to Other Departments	(2,268,819)	(2,614,271)	(2,720,878)	4.08%
Program Generated Revenue				
406490 - DWI Impnd/Admin Fees	489,529	445,463	482,582	8.33%
406620 - Reimbursed Cost-ER	-	10,000	-	-
406625 - Rmb Cost-NonGrntFund	15,861	-	10,000	-
407060 - Pre-Trial Div Cost	220,700	220,000	220,000	-
Program Generated Revenue Total	726,090	675,463	712,582	5.50%
Net Cost				
Manageable Direct Cost	2,991,232	3,384,736	3,453,221	2.02%
Debt Service	-	-	-	-
Charges by/to Other Departments	(2,268,819)	(2,614,271)	(2,720,878)	4.08%
Program Generated Revenue	(726,090)	(675,463)	(712,582)	5.50%
Net Cost Total	(3,677)	95,002	19,761	<79.20%>

Anchorage: Performance. Value. Results

Administration Division
Municipal Attorney's Office
Anchorage: Performance. Value. Results.

Purpose

Chief legal counsel to the MOA including the Mayor, Assembly, and all executive, departments, agencies, boards and commissions.

Supervise and control all civil and criminal legal services performed by the department and contract counsel for MOA.

Core Services

- Budgetary management
- Staff supervision
- Program and policy oversight

Accomplishment Goals

Maintain high quality, efficient production of legal services through low turnover rate of professional staff, and successful completion by attorneys of subject matter training/continuing legal education.

Performance Measures

Progress in achieving goals will be measured by:

Measure #1: Turnover rate equal to or less than that in government sector legal offices of similar situation.

	<u>Criminal</u>	<u>Criminal %</u>	<u>Civil</u>	<u>Civil %</u>	<u>Retirement %</u>
2011	5/16	31%	0/11	0%	21%
2012	5/16	31%	0/11	0%	0%
2013	2/16	12.5%	1/11	9%	0%
2014 2nd	1/16	6.25%	0/11	0%	0%

Turnover Rate: National average is 19.5% of which contributing factors are pay, benefits, and student loans. Retirements are indicated as a separate percentage.

Measure #2: Percent of professional staff that complete at least 9 Continuing Legal Education credits each year, with a goal of 50%.

	2011	2012	2013	2014 2nd
Total Credits	284	246	243	100
# of Attorneys	27	27	27	27
Average Credits	10.52	9.11	9.0	3.7
% Greater than 9	100%	100%	100%	37%

Continuation Legal Education (9 credits) completion percentage – Goal is 50%

Measure #3: Percent of professional staff that complete at least 6 Continuing Legal Education credits per year in their core practice areas, not including required ethics training, with a goal of 100%.

CLE (3 credits) completion percentage – goal is 100%

	2011	2012	2013	2014 2nd
Total Credits	204	165	162	70
# of Attorneys	27	27	27	27
Average Credits	7.56	6.11	6.0	3
% Greater than 6	100%	100%	100%	37%

CLE – 6 credit average without ethics

Civil Division
Municipal Attorney's Office
Anchorage: Performance. Value. Results.

Purpose

Provide legal counsel, support, and advice on specific legislation, the Municipal Code, Charter, legislative procedures, and the responsibilities and authority of the Municipality. Represent the Municipality and its officials and employees in civil litigation.

Direct Services

- Provide opinions and code revisions
- Conduct civil litigation

Accomplishment Goals

- Low incidence of remand or reversal on appeal

Performance Measures

Progress in achieving the goal shall be measured by:

Measure #4: Number of matters remanded or reversed on appeal.

Appeal rate of remand or reversal

	<u>Lit Only</u>	<u>Appeals</u>	<u>Rem/Rev</u>	<u>w/ NonLit</u>	<u>Appeals</u>	<u>Rem/Rev</u>
2011	2/73	3%	0%	2/235	1%	0%
2012	0/73	0%	0%	0/293	0%	0%
2013	3/103	3%	0%	3/251	1%	0%
2014 2nd	0/52	0%	0%	0/138	0%	0%

Administrative Hearing Office Municipal Attorney's Office

Anchorage: Performance. Value. Results.

Purpose

Provide for the adjudication of certain Municipal Code violations and conduct hearings on certain appeals of administrative actions of Municipal Agencies within the scope of its jurisdiction established by the code.

Direct Services

- Adjudicate matters.
- Conduct hearings, if requested.

Accomplishment Goals

- Low incidence of remand or reversal on appeal
- Improve timeframe between hearing and decision

Performance Measures

Progress in achieving goals shall be measured by:

Measure #5: Percent of matters appealed and remanded or reversed on appeal, as a percentage of total active matters within the fiscal year.

Appeal rate of remand or reversal

	<u>Hearings</u>	<u>Appeal</u>	<u>Rem/Rev</u>
2011	1/114	1.0%	0.0%
2012	0/109	0.0%	0.0%
2013	0/103	0.0%	0.0%
2014 2nd	0/44	0.0%	0.0%

Measure #6: Percent of decisions rendered within code authorized number of days of their hearings (10, 20, 45 days depending on type*).

	10 days	% in 10 days	20 days	% in 20 days	45 days	% in 45 days
2011	74/82	90%	29/29	100%	2/3	66%
2012	61/65	94%	42/42	100%	2/2	100%
2013	68/68	100%	32/32	100%	3/3	100%
2014 2nd	29/29	100%	13/13	100%	2/2	100%

* 45 days is DHHS; 20 days is Animal Control; 10 days is everything else

Criminal Division
Municipal Attorney's Office
Anchorage: Performance. Value. Results.

Purpose

Prosecute misdemeanor and traffic offenses under the Anchorage Municipal Code.

Division Direct Services

- Assist\advise Anchorage Police Department (APD) regarding warrants, DV arrests, and related investigatory matters.
- Prosecute cases initiated by APD or transferred from State.
- Pursue or defend appeals from trial courts.
- Assist victims through witness coordination, notice regarding proceedings, and restitution.

Accomplishment Goals

- Improved conviction rate to deter crime and punish offenders.

Performance Measures

Progress in achieving goals will be measured by:

Measure #7: Percentage of open cases at the end of the reporting period.

Measure #8: Percentage of declines at the end of the reporting period.

Measure #9: Percentage of dismissals at the end of the reporting period.

Measure #10: Percentage of cases that result in conviction.

JustWare Database

	2011	2012	2013	2014 2nd
Open	2,864	3,675	2,671	1,420
Declines	3,345	2,579	2,599	938
Dismissed	3,098	854	2,003	157
Adjudicated	4,512	5,878	1,688	1,035
Not Guilty	13	16	25	15
Disposition per Statute	13,832	13,002	8,986	5,926

Percentages

		2011	2012	2013	2014 2nd
Open	PM 7	21.1%	28.3%	29.7%	39%
Declines	PM 8	24.6%	19.8%	28.9%	24%
Dismissals	PM 9	22.8%	6.6%	22.3%	6%
Conviction	PM 10	31.5%	45.3%	44.3%	57%

Measure #11: Percentage of convictions sustained on appeal during the reporting period.

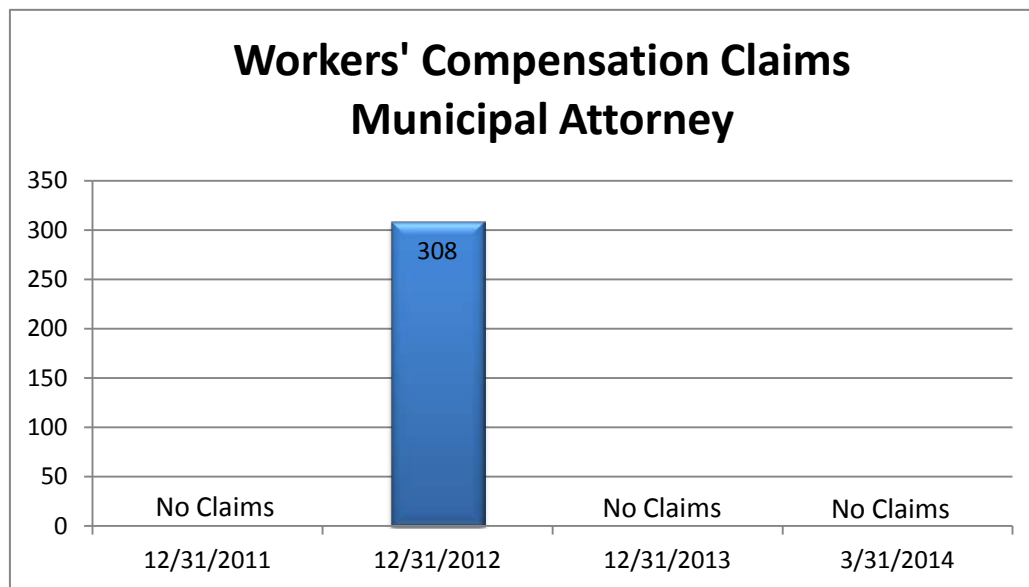
Prosecution Appeal Rate of Remand / Reversal

	<u>Cases</u>	<u>Appeal</u>	<u>Rem/Rev</u>
2011	1/13,832	0.00%	0.00%
2012	1/13,002	0.00%	0.00%
2013	1/8,986	0.00%	0.00%
2014 2nd	0/3,565	0.00%	0.00%

PVR Measure WC: Managing Workers' Compensation Claims

Reducing job-related injuries is a priority for the Administration by ensuring safe work conditions and safe practices. By instilling safe work practices we ensure not only the safety of our employees but reduce the potential for injuries and property damage to the public. The Municipality is self-insured and every injury poses a financial burden on the public and the injured worker's family. It just makes good sense to WORK SAFE.

Results are tracked by monitoring monthly reports issued by the Risk Management Division.



No data for second quarter of 2013, changing to a new record keeping system